

WEST VIRGINIA -ELECTION CONNECTION-

Your source for Election News from Secretary of State Natalie E. Tennant

Issue 44 – August 14, 2012

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12 Weeks Until Election Day!

On Tuesday, August 14, there will be exactly 12 weeks until the November 6 General Election!

Exit Polling On Election Day

Edison Research has been in contact with the Secretary of State's Office regarding exit polling for the November General Election. Just as in the 2010 General Election, Edison Research may be sending staff into county precincts to talk with voters after the voter has cast his or her ballot. The Secretary of State's Office has provided Edison Research with a credentials letter that all of their employees should be using. Edison Research has agreed to contact both the SOS office and any county they plan to visit prior to Election Day.

Edison Research is well aware and has been reminded that their employees are not permitted to be present inside the building housing the polling place, but can be inside the 300-foot limit. In order to try to prevent any incidences on election day, please remind your poll workers that employees of Edison Research may be at their polling places.

Candidate Withdrawal/Replacement on the Ballot

Many counties have been affected by candidates withdrawing from the November General Election.

Any candidate who has withdrawn and wishes to be replaced on the ballot has until 5:00 p.m., Tuesday, August 14, 2012, to submit a such a request to the West Virginia State Election Commission (SEC).

The SEC will be meeting on Wednesday, August 15, to consider any outstanding requests. This meeting will be webcast live on the Secretary of State's website.

The request to the SEC can come from either the candidate or the party executive committee. If the SEC grants the request to replace the candidate, the party executive committee has until the end of business Monday, August 20, to submit the proper forms for the replacement candidate: Appointment by Executive Committee to Fill Vacancy and Candidate Certificate of Announcement. No filing fee is required.

If the executive committee meets and fails to select a replacement candidate, the chair of the executive committee may nominate someone by the end of business Wednesday, August 22, using the Appointment by Executive Committee Chair to Fill Vacancy form. The candidate must also file the Candidate Certificate of Announcement. Again, no filing fee is required. All paperwork except the request for permission to replace the candidate must be filed with the County Clerk for single-county offices or the Secretary of State for multi-county offices and all legislative races.

State Election Commission Webcasts

Please remember that all meetings of the State Election Commission (which consists of chairman Dr. Robert Rupp, Gary Collias, Bill Renzelli, and Secretary Tennant) are webcast live on the Secretary of State's website. On the agenda for the August 8 meeting is the withdrawal of several candidates.

You can watch live here: <http://www.sos.wv.gov/news/Pages/webcast.aspx>.

You don't need to download any special software to view it. Just go to that page and click on the "play" button and you will be able to see the live streaming feed.

We always send out alerts to the public via Facebook and Twitter that include a link to the webcast.

Important Dates Coming Up

- **August 14 (Deadline):** Notice of Number of Election Officials. (At least eighty-four days before the election)
 - o The county commission designates the number and type of election boards for the various precincts and gives written notice to the county executive committees of the two major political parties of the number of nominations which may be made for poll clerks and commissioners. Recommend county clerk notify executive committees of number of emergency absentee voting commissioners to nominate at same time. (§ 3-1-29, 3-3-5c)
- **August 14 (Deadline):** Vacancy for Specific Causes (Not later than eighty-four days before the general election)
 - o Last day of occurrence of vacancy on ballot resulting from disqualification or incapacity of candidate, or from death of incumbent in certain elected offices not otherwise up for election in order for executive committee to appoint to fill vacancy. (§ 3-5-19(a) & (b))
- **August 14, 2012:** Last Day to Apply for Withdrawal for Extenuating Circumstances (No later than eighty-four days before the general election)
 - o Last day for candidate to apply for withdrawal due to extenuating personal circumstances which will prevent the candidate from serving if elected in

order to permit application for authorization to fill vacancy on ballot to be considered. (§ 3-5-19(a))

- **August 14 – October 31:** Application For Absentee Ballot Accepted from Uniformed and Overseas Voters and From All Other Voters
 - o Received not earlier than January 1 of an election year for uniformed and overseas voters and not earlier than eighty four days preceding the election for all other voters, and not later than the sixth day preceding general election. An eligible voter may make written application by mail to the clerk for official absent voter's ballot(s). (§ 3-3-1(b)(3), 3-3-5(b)(1))
- **August 20, 2012 (Deadline for committee):** Executive Committee or Chair Appointment to Fill Vacancy
 - o (For committee -- After primary election, but not later than seventy-eighth day preceding general election) Last day for the appropriate executive committee of each political party, by filing with the proper officer to fill vacancy in its general nomination for the following reasons:
 - disqualification or incapacity of candidate
 - withdrawal for extenuating circumstances, if approved by State Election Commission
 - death of incumbent in office not on ballot (except high offices and judges)
- **August 22, 2012 (Deadline for chair):** (Not later than two days following the deadline for the executive committee)
 - o If appropriate political executive committee has not already filled vacancies in its primary nominations, according to the provisions of this section such vacancies may be filled by the committee's chairman by filing with the proper officer. (§ 3-5-19)
- **August 22 - 28, 2012 Secretary of State Certifies Names** (Between last day to fill vacancies in nomination and drawing to determine ballot order)
 - o Secretary of State certifies to each county clerk the names of each political party's nominees entitled to be placed on the general election ballot. (§ 3-5-18, 3-5-19, 3-6-2)
- **August 27, 2012 (Approximate Deadline):** Candidate Name Removed from Ballot Due to Death (Before the ballots are printed)
 - o Upon request of the candidate's family, the board of ballot commissioners may remove the name of a candidate who dies if the death occurs before the ballots are printed. (§ 3-5-11(b), 3-6-2(d)(2))
- **August 28, 2012 9:00 a.m.:** Drawing for Order of Names on Ballot (On the seventieth day next preceding the date of the general election)
 - o For all ballot systems, drawing by lot shall be conducted at 9 a.m. in the office of the county clerk to determine the order of names of candidates for any office or division for which more than one is to be elected. (§ 3-6-2(d)(2))
- **August 28, 2012 (Deadline):** Estimate Number of Absentee Ballots (Not less than seventy days prior to the general election)
 - o County clerk estimates number of official absent voters' ballots required. (§ 3-3-11)

- **August 28, 2012:** Election Official Nominations Filed (No later than seventieth day before the election)
 - o Each county executive committee, or its chairman or secretary on its behalf, shall file in writing with the county commission a list of persons nominated by a majority vote of the committee at a duly called meeting, as election officials and the positions for which they are designated, and those persons nominated as alternates. (§ 3-1-30(a)(4))

SVRS Class Scheduled for August

The SVRS class is next week in Flatwoods.

The response to this class has been outstanding! Get ready to learn and share ideas! Please contact Layna Brown at lbrown@wvsos.com if you have any last minute questions.

Have an idea?

Is there something that you want to see addressed in the Election Connection? The goal of this newsletter is to keep everyone up to date about challenges facing election officials in West Virginia and to inform everyone about best practices that are being put into place. If you have an idea for a topic, have a question, or if you think there is a subject that election officials around the state would be interested in, please do not hesitate to contact the Secretary of State's Office. You can contact the Elections Division by email at elections@wvsos.com or (304) 558-6000 or Jake Glance directly at jglance@wvsos.com. Your input is appreciated.